

Serial No.: 10/551,898  
Examiner: Larry R. Wilson  
Reply to Office Action Mailed May 28, 2008  
Page 4 of 6

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to Figs. 8A and 8B. Sheet 5 of 5, which includes Figs. 8A and 8B, replaces the original sheet including Figs. 8A and 8B.

In amended Figs. 8A and 8B, the legend "Prior Art" has been added to the figures.

Attachment: Replacement Sheet (1)

Serial No.: 10/551,898  
Examiner: Larry R. Wilson  
Reply to Office Action Mailed May 28, 2008  
Page 5 of 6

### **REMARKS**

Reconsideration is requested in view of the above amendments and the following remarks. Claim 1 has been revised. Support for the revisions can be found at page 4, lines 2-5 and page 5, lines 15-18 of the specification, among other places. Claims 1-7 remain pending in the application.

### **Objections to the Drawings**

Figs. 8A and 8B are objected to as requiring a "Prior Art" legend. Figs. 8A and 8B have been revised to include a "PRIOR ART" legend. Withdrawal of the objection is respectfully requested.

### **Claim Rejections – 35 USC § 103**

Claims 1-7 are rejected under 35 USC § 103(a) as being unpatentable over Kuranosuke et al. (sic-Arakawa et al.) (EP 0 664 139) in view of Yosisuke (sic-Teraoka) (EP 1 048 311). Applicants respectfully traverse this rejection.

Claim 1 requires that a shield tube and a hub be bendable together at least in a part of a range when a needle protrudes from a front end of the shield tube and is latched to the shield tube so as to be in a puncturing position. The bendable feature of the shield tube and the hub allows the medical needle device to be bent at a position that is sufficiently close to the needle, when the needle protrudes from a front end of the shield tube and is inserted in the patient's body. Thus, when another needle is to be inserted near the place where the present needle is inserted, the shield tube can be bent to allow the rest of the needle device to be moved away so that the other needle can be easily inserted (see page 4, lines 2-8 of the specification).

Teraoka fails to teach or suggest a shield tube and a hub that are bendable together at least in a part of a range when a needle protrudes from a front end of the shield tube and is latched to the shield tube so as to be in a puncturing position, as required by claim 1. Instead, Teraoka discusses an injection needle device 1 including an injection needle 2, a cylindrical holder 3 tightly fixing the injection needle 2, a tube 4, a cylindrical stretchable member 6 and a protector 8 (see Teraoka, col. 4, lines 46-56 and

Serial No.: 10/551,898  
Examiner: Larry R. Wilson  
Reply to Office Action Mailed May 28, 2008  
Page 6 of 6

Fig. 1). The stretchable member 6 of Teraoka can be stretched or contracted so as to allow the injection needle 2 to slide in and out of the protector 8 (see Teraoka, col. 2, lines 22-27 and Figs 4-6). As clearly illustrated in Figs. 1, 2 and 4-6 of Teraoka, the stretchable member 6 merely is used for helping the injection needle 2 slide in and out of the protector 8 for storage and exposure of the injection needle 2 (See also Teraoka, col. 2, lines 22-27 and col. 3, lines 37 -55). Teraoka fails to provide any teachings as to a shield tube and a hub being bendable together, much less any reason to expect that the advantages enjoyed by the present invention, such as allowing another needle to be inserted near the place where the present needle is inserted, could be achieved.

For at least these reasons, claim 1 is patentable over Arakawa et al. in view of Teraoka. Claims 2-7 depend from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. No. 30,300, at (612) 455-3804.



Dated: August 20, 2008

DPM/cy

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.  
P.O. Box 2902-0902  
Minneapolis, MN 55402-0902  
(612) 455-3800

By:

A handwritten signature in black ink, appearing to be "Douglas P. Mueller", written over a horizontal line.

Douglas P. Mueller  
Reg. No. 30,300